



FEDERAL ELECTION COMMISSION
Washington, DC 20463

JAN 29 2009

Joseph P. Cutaia

Jacksonville, FL 32259

Dear Mr. Cutaia:

The Federal Election Commission ("Commission"), the regulatory agency that administers and enforces the Federal Election Campaign Act of 1971, as amended ("the Act"), has ascertained information in the normal course of carrying out its supervisory responsibilities indicating that you may have violated the Act. Specifically, it appears that you were reimbursed by the company that operates Hyundai of North Jacksonville for your campaign contributions to Vern Buchanan for Congress by check #2141 drawn on your personal account. The Act prohibits an individual from knowingly permitting his or her name to be used to affect the contribution of another person to a candidate for federal office. For example, it is illegal for a person to accept money from another person for making a contribution to a federal candidate. See Title 2 of the United States Code ("2 U.S.C.") section 441f and Title 11 of the Code of Federal Regulations section 110.4(b).

The Commission's Office of the General Counsel is reviewing this information in connection with making a recommendation to the Commission as to whether there is reason to believe that you violated the Act, an initial determination necessary to initiate an investigation into whether a violation has, in fact, occurred. See 2 U.S.C. § 437g(a)(2). Before the General Counsel makes such a recommendation, you may provide in writing any factual or legal materials that you believe are relevant to this matter. Your submission, if you choose to make one, must be submitted within 15 days of receipt of this letter and addressed to the General Counsel's Office. After 15 days, the General Counsel's Office will present its recommendations to the Commission. Any response submitted by you will be taken into account in these recommendations. The Commission will then consider the recommendations and, if the Commission finds that there is reason to believe you violated the Act, initiate an enforcement matter regarding your contribution to Vern Buchanan for Congress and the reimbursement of that contribution.

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Joseph P. Cutaia
Pre-MUR 479
Page 2

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by legal counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Jack Gould, the attorney handling this matter, at (202) 694-1650 or toll free at 1-800-424-9530. Information is also available on the Commission's web site at www.fec.gov.

Sincerely,

Thomasenia P. Duncan
General Counsel



BY: Ann Marie Terzaken
Associate General Counsel for
Enforcement

Enclosure

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